



In re application of:)
Application No.: 09.856,402)
Filed: May 21,2001)
For: POLISHING MACHINE FOR PERIPHERAL)
EDGE OF SEMICONDUCTOR)

Examiner:)
Art Unit:)

PETITION UNDER 37 CFR 1.47 (a)

RECEIVED

21 OCT 2001

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

As evidenced by the attached copy of the letters dated August 22, 2001 ("evidence 1") and September 9, 2001 ("evidence 3") and the attached statement of Mr. Mineo Ishii, diligent effort has been made to reach the inventor, Hitoshi Tambo, of the above-identified application. But Mr. Tambo refused to the application papers.

According to the employment agreement, all intellectual property rights of Tambo's inventions made during his employment at Kabushiki Kaisha Ishii Hyoki have been assigned, or under obligation to be assigned, to Kabushiki Kaisha Ishii Hyoki. Accordingly, the other inventors, Teruyki Nakano; and Yasuhiro Kozawa, of the above-identified application, made the application for patent on behalf of Hitoshi Tambo under 37 C.F.R. 1.47(a) so as to preserve the assignee's rights.

The last known address of Hitoshi Tambo is:

4-7-9, Eda-Nisi, Aoba-Ku,
Yokohama-shi, Kanagawa-ken, Japan

The required fee \$130 under 37 C.F.R. 1.17(h) is enclosed.

Respectfully submitted,
J.C. PATENTS

Jiawei Huang
Registration No. 43,330

4 Venture, Suite 250
Irvine, CA 92618
(949) 660-0761

**PATENT**

Docket No. «IMPORT_CASE_JCPI_DOCKET_NO»

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: TERUYUKI NAKANO et al.)
Application No.: 09/856,402)
Filed: May 21,2001)
For: POLISHING MACHINE FOR)
PERIPHERAL EDGE OF)
SEMICONDUCTOR)
Attorney Docket No. EHAR0010)
Examiner:)
Art Unit:)

DECLARATION OF MINEO ISHII

I, Mineo Ishii, do hereby declare that:

1. I am the president of Kabushiki Kaisha Ishii Hyoki, a company located at 5, Asahigaoka, Kannabecho, Fukayasu-gun, Hiroshima 720-2113, Japan.
2. I am aware that the above-identified application names as joint inventors: Teruyuki Nakano; Yasuhiro Kozawa; and Hitoshi Tambo.
3. I am aware that Mr. Hitoshi Tambo was hired by Kabushiki Kaisha Ishii Hyoki on April 10, 2000 as an engineer and retired on May 20, 2001. I am further aware that, while working at Kabushiki Kaisha Ishii Hyoki, Mr. Tambo contributed to the development of the invention disclosed and claimed in the above-identified application.
4. I am aware that Mr. Tambo's last known address at the time he retired from Kabushiki Kaisha Ishii Hyoki was 4-7-9, Eda-Nisi, Aoba-Ku, Yokohama-shi, Kanagawa ken, Japan.
5. I am aware that, according the employment agreement, all intellectual property rights of Mr. Tambo's inventions made during his employment at Kabushiki Kaisha Ishii Hyoki have been assigned, or under obligation to be assigned, to Kabushiki Kaisha Ishii Hyoki.
6. Kabushiki Kaisha Ishii Hyoki has attempted to contact Mr. Tambo by mail and telephone to obtain his signature on the documents (the Declaration and Power

of Attorney, and the Assignment). More particularly:

- a) Kabushiki Kaisha Ishii Hyoki sent Mr. Tambo a registered letter dated August 22, 2001 to inform him the filing of the above identified application and to request him to execute the documents. (See the attached copy of the receipt of the registered letter labeled as "evidence 1").
 - b) The letter was delivered to Mr. Tambo on August 26, 2001. (See the attached copy of the delivery certificate labeled as "evidence 2").
 - c) After receiving the returned delivery certificate, Mr. Yasuhiro Kozawa, on behalf of Kabushiki Kaisha Ishii Hyoki, tried to contact Mr. Tambo by telephone on August 30, and September 5, 2001.
 - d) Mr. Yasuhiro Kozawa succeeded in contacting with Mr. Tambo by telephone on September 5, 2001, and requested his signature. In response, Mr. Tambo told Mr. Kozawa that he would not sign the documents.
 - e) Mr. Kozawa received a letter dated September 9, 2001 from Mr. Tambo with the documents returned without his signature. (See the attached copy of Mr. Tambo's ^{Letter} labeled as "evidence 3").
7. Based on my present knowledge, Mr. Tambo has refused to sign the Declaration and Power of Attorney, and the Assignment.
8. I declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Dated: 1, Oct., 2001

By:  

Mineo Ishii
President
Kabushiki Kaisha Ishii Hyoki

evidence 1

8-12

この郵便物は平成 13 年 8 月 22 日第 180 号
書留内容証明郵便物として差し出したことを証明します

御 領 郵 便 局 長

内容証明書用紙

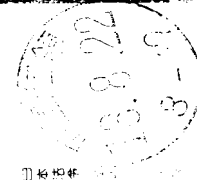
平成 13 年 8 月 22 日

本郵便物の内容証明は、平成 13 年 8 月 22 日、
〒100-0001 東京都千代田区千代田 1-1-1 日本郵政株式会社
に提出されたものであります。

提出された郵便物の内容証明は、平成 13 年 8 月 22 日、
〒100-0001 東京都千代田区千代田 1-1-1 日本郵政株式会社
に提出されたものであります。

この郵便物は平成 13 年 8 月 22 日第 180 号
書留内容証明郵便物として差し出したことを証明します

御 領 郵 便 局 長





evidence 2

郵便物配達証明書

受取人の氏名	丹保 仁志 様
引受番号	180 18 - 13812 /
上記の郵便物は、13 年 8 月 26 日配達したのでこれを証明します。	
香川県 高松市 郵便局	

ユ 07370 (13.3・ヨシダ印刷・03)

再生紙使用



郵便物配達証明書

受取人の氏名	丹保 仁志 様
引受番号	180 - 18 - 13813 - 2
上記の郵便物は、13 年 8 月 26 日配達したのでこれを証明します。	
香川県 高松市 郵便局	

ユ 07370 (13.3・ヨシダ印刷・03)

再生紙使用

evidence 3

小澤さん。

特許は、特許サインする必要もない
様なのでサインせずに送ります。

丹保

2001/9/9